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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,430	07/02/2003	Joseph T. Ambrefe JR.	47955-00002	1434
23767	7590	11/24/2004	EXAMINER	
PRESTON GATES ELLIS & ROUVELAS MEEDS LLP 1735 NEW YORK AVENUE, NW, SUITE 500 WASHINGTON, DC 20006			NGUYEN, HUNG T	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/611,430

Applicant(s)

AMBREFE, JOSEPH T.

Examiner

Hung T. Nguyen

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/20/2003 & 9/30/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-18,23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-18,23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/12/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action responds base on proposed amended which was directly faxed to SPE Jeffery A. Hofsass on Thursday Sept. 30, 2004 from Mr. Don J. Pelto.

In the future, please fax to the Contractor Official Fax No. (703) 872-9306 for officially entering.

2. Applicant cancels claims 1-5, 19-22 & 24.

Claim Rejections - 35 USC § 103

Drawings

3. The drawings are objected to under 37 CFR 1.84(o) which requires legends on drawings:

--In fig.10, All the number in the boxes / blocks 102-104, 106, 108 & 110 should be provided with descriptive labels (e.g., first cart, second cart, larger tray, security point, etc).
Correction is required.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2636

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-14 , 17-18 & 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunetti et al. (U.S. 6,507,278) in view of Sansone et al. (U.S. 5,388,049).

Regarding claim 6, Brunetti discloses a method for security [figs.3-4, col.7, lines 1-10 and abstract] comprising:

- a security scanning device / X-ray screen to detect a passenger at the airport [system [figs.3-4, col.7, lines 1-10 and col.9, lines 31-57];
- a plurality of trays (29) for holding small objects (keys, watches, coins, metal objects and so on) from the passengers could be detected by the X-ray screen for more safety [figs.3-4, col.7, lines 1-10 and col.9, lines 31-57].

Brunetti does not specifically mention trays can be positioned in tray carts as a rack system for holding a plurality of objects.

Sansone teaches a monitoring system having a computer unit (16) for scanning a plurality of trays which can be held by a cage / container / rack system that will hold a large number of trays for subsequent conveyance [figs.1-2, col.4, line 17 to col.5, line 7].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Sansone in the system of Brunetti for monitoring a rack system which holding device for placing various objects that are processed through a security area.

Regarding claim 7, Brunetti discloses the method of security [figs.3-4, col.7, lines 1-10 and abstract] comprising:

Art Unit: 2636

- a security scanning device / X-ray screen to detect a passenger at the airport [system [figs.3-4, col.7, lines 1-10 and col.9, lines 31-57].

Regarding claims 8-9, Brunetti discloses a plurality of trays (29) for holding small objects (keys, watches, coins, metal objects and so on) from the passengers could be detected by the X-ray screen for more safety [figs.3-4, col.7, lines 1-10 and col.9, lines 31-57]. The trays can be displayed advertising as desired products by the skilled artisan.

Regarding claims 10-12, Sansone teaches the monitoring system having a computer unit (16) for scanning a plurality of trays which can be held by a cage / container / rack system that will hold a large number of trays for subsequent conveyance [figs.1-2, col.4, line 17 to col.5, line 7]. Those tray carts should have wheels for easy moving from one to another locations.

Regarding claims 13-14, Naturally, Brunetti discloses the plurality of trays (29) for holding small objects (keys, watches, coins, metal objects and any other small objects as camera, purse, cell phone, wallet, PDA, shoes) from the passengers could be detected by the X-ray screen for more safety [figs.3-4, col.7, lines 1-10 and col.9, lines 31-57].

Regarding claims 17-18, Sansone teaches the monitoring system having a computer unit (16) for scanning a plurality of trays which can be held by a cage / container / rack system that will hold a large number of trays for subsequent conveyance [figs.1-2, col.4, line 17 to col.5, line 7]. Those tray carts should have wheels for easy moving from one to another locations.

Art Unit: 2636

Regarding claim 23, Brunetti discloses a plurality of trays (29) for holding small objects (keys, watches, coins, metal objects and so on) from the passengers could be detected by the X-ray screen for more safety [figs.3-4, col.7, lines 1-10 and col.9, lines 31-57]. The trays can be displayed advertising as desired products by the skilled artisan.

Regarding claim 25, Sansone teaches a monitoring system having a computer unit (16) for scanning a plurality of trays which can be held by a cage / container / rack system that will hold a large number of trays for subsequent conveyance [figs.1-2, col.4, line 17 to col.5, line 7]. Each tray is attached by a tag (46) for monitoring location [fig.2, col.5, line 32 to col.6, line 6].

6. Claims 15-16 lack an inventive step under PCT Article 33(3) as being obvious over Brunetti et al. (U.S. 6,507,278) in view of Sansone et al. (U.S. 5,388,049) further in view of McEntee (U.S. 5,586,493).

Regarding claims 15-16, The combination of Brunetti & Sansone is still missing the tray carts is made from plastic resilient material.

McEntee teaches a rack (10) is placed on the floor could be made from plastic material [fig.2, col.7, lines 40-56].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Sansone and McEntee includes plastic material from the rack to be used in the

Art Unit: 2636

system of Brunetti for easy moving and convenient as light weight which holding device for placing various objects that are processed through a security area.

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Fufido et al. (U.S. 6,720,874) portal intrusion detection apparatus and method.
- Puskaric et al. (U.S. 6,745,520) Integrated rapid access entry egress system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.



Examiner: Hung T. Nguyen

Date: Nov. 22, 2004